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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 SIMON N. DUARTE,

No. 2:04-cv-0971-MCE-CMK-P

12 Petitioner,

13 vs.

ORDER

14 DIANE BUTLER,

15 Respondent.
16 _____/

17 Petitioner, a state prisoner proceeding pro se, brings this
18 petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. §
19 2254. The matter was referred to a United States Magistrate
20 Judge pursuant to Eastern District of California local rules.

21 On May 26, 2006, the magistrate judge filed Findings and
22 Recommendations herein which were served on Petitioner and which
23 contained notice to Petitioner that any objections to the
24 Findings and Recommendations were to be filed within ten (10)
25 days. Petitioner has not filed objections to the Findings and
26 Recommendations.

1 The Court has reviewed the file and finds the Findings and
2 Recommendations to be supported by the record and by the
3 magistrate judge's analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

5 1. The Findings and Recommendations filed May 26, 2006,
6 are adopted in full;

7 2. Petitioner's Petition for a Writ of Habeas Corpus is
8 denied; and

9 3. The Clerk of the Court is directed to enter Judgment
10 and close this file.

11 DATED: July 11, 2006

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16 MORRISON C. ENGLAND, JR
17 UNITED STATES DISTRICT JUDGE
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